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CP 1646  
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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/030,482

Filing Date 25 February 1998

First Named Inventor Terrance P. SNUTCH, et al.

Group Art Unit 1646

Examiner Name N. S. Basl

Total Number Of Pages In This Submission

Attorney Docket No. 381092000700

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## ENCLOSURES (check all that apply)

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                        | <input type="checkbox"/> Assignment Papers<br>(for an Application)        | <input type="checkbox"/> After Allowance Communication to Group                               |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences           |
| <input checked="" type="checkbox"/> Amendment / Reply                           | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information  |
| <input checked="" type="checkbox"/> Affidavits/declarations                     | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter  |
| <input checked="" type="checkbox"/> Extension of Time Request                   | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):               |
| <input type="checkbox"/> Express Abandonment Request                            | <input type="checkbox"/> Terminal Disclaimer                              | <input checked="" type="checkbox"/> Return Postcard   |
| <input type="checkbox"/> Information Disclosure Statement                       | <input type="checkbox"/> Request for Refund                               | <input type="checkbox"/>  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                 | <input type="checkbox"/> CD, Number of CD(s) _____                        | <input type="checkbox"/>  |
| <input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application   | Remarks   |   |
| <input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Kate H. Murashige, Reg No. 29,959 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500, San Diego, California 92130
Signature	
Date	April 10, 2002

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Tami M. Procopio

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# FEE TRANSMITTAL FOR FY 2002

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Patent fees are subject to annual revision.

## Complete if Known

Application Number 09/030482  
Filing Date 25 February 1998  
First Named Inventor Terrance P. SNUTCH, et al.  
Examiner Name N.S. Basl  
Group Art Unit 1646  
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TOTAL AMOUNT OF PAYMENT

(\$110.00)

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952

Deposit Account Name Morrison & Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES

		Extra Claims		Fee from below		Fee Paid
Total Claims	- 20** =	*	x		=	\$
Independent Claims	- 3** =	*	x		=	\$
Multiple Dependent					=	\$

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)\*

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$110.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Kate H. Murashige Registration No. (Attorney/Agent) 29.959 Telephone (858) 720-5112  
Signature Date April 10, 2002

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PATENT  
Docket No. 381092000700

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Assistant Commissioner for Patents, Washington, D.C. 20231, on April 10, 2002.

*Tami M. Procopio*  
Tami M. Procopio

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Terry P. Snutch, *et al.*

Serial No.: 09/030,482

Filing Date: 25 February 1998

For: NOVEL HUMAN CALCIUM  
CHANNELS AND RELATED PROBES,  
CELL LINES AND METHODS

Examiner: N. S. Basi

Group Art Unit: 1646

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AMENDMENT UNDER 37 C.F.R. § 1.111

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is in response to a Office Action herein mailed 10 December 2001, time for response to which was set to expire 10 March 2002. A petition for an extension of time of one (1) month until 10 April 2002 is attached hereto along with the required fee. The considered claims, claims 28-33 were not rejected over the art; instead, issues under 35 U.S.C. §§ 101/112 have been raised.

Applicants greatly appreciate the consideration given their undersigned attorney in the course of a telephone interview regarding this application on 29 March 2002. Applicants understand that to a large extent the maintained rejections are made on the basis of Office "policy" rather than in regard to a consideration of the individual facts herein and compliance

with the statute. Accordingly, the scheduling of an interview with Examiner's Basi and Eyler and Specialist Stanton at 3:30 on April 22 is much appreciated.

Careful consideration has been given to the grounds for rejection, and the following discussion is offered in response. Reconsideration is respectfully requested.

Enclosed is the following Exhibit A: Marked-up Version of Amendments to the Claims.